

ENTERED

January 13, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

FRANCISCA MARTINEZ,

Petitioner,

VS.

ROBERT M. COWAN, *et al.*,

Respondents.

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CIVIL ACTION NO. 1:19-CV-168

ORDER

On September 2, 2019, Plaintiff Francisca Martinez filed her Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive relief (Doc. 1) alleging that Respondents violated her rights and placed her in habeas custody by not issuing her employment authorization documents. Before Respondents filed a responsive pleading, the Magistrate Judge *sua sponte* raised the issue of jurisdiction, ordering briefing on whether the Court had subject matter jurisdiction over Martinez's claims. (Order, Doc. 3) Martinez filed her response to the Order, arguing that jurisdiction existed. (Plaintiff's Response, Doc. 4)

On September 26, 2019, the Magistrate Judge issued a Report and Recommendation (Doc. 5) recommending that the Court dismiss all of Martinez's claims for lack of jurisdiction. Martinez timely filed objections to the Report and Recommendation. (Objections, Doc. 6)

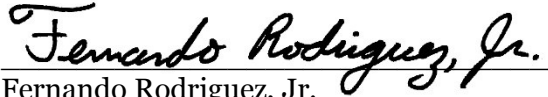
The Court has conducted a *de novo* review of the jurisdictional issue in this lawsuit. In her objections to the Report and Recommendation, Martinez re-urges the arguments she presented to the Magistrate Judge, and the Report and Recommendation ably addresses those arguments.

Accordingly, the Court **ADOPTS** the Report and Recommendation. It is:

ORDERED that all of Francisca Martinez's causes of action are dismissed without prejudice for lack of jurisdiction.

The Clerk of Court is directed to close this matter.

SIGNED this 13th day of January, 2020.



Fernando Rodriguez, Jr.
United States District Judge